

Remarks***Status***

Claims 42, 44-46, 48-60 and 62-73 were pending in the application and were rejected in the Final Office Action dated January 29, 2004 and the rejection was maintained in the Advisory Action dated June 8, 2004. The Applicant continues to respectfully traverse all the rejections. However, in order to expedite the prosecution of this application the Applicant has cancelled claims 42, 44, 45, 53 and 66 without prejudice or disclaimer to the subject matter contained therein. Moreover, the Applicant has amended claims 52, 54 and 55, and added claims 74-81 that it believes are also clearly patentable over the cited reference for reasons discussed below. Claims 46, 48-52, 54-60, 62-65, and 67-81 are currently pending with claims 46, 52, 60, 71, 73, 74, 76 and 79 being the independent claims.

Response to Arguments presented by Examiner

In the Advisory Action, the Examiner summarizes the Applicants arguments presented in the April 22, 2004 response as being (1) no motivation to combine the references, and (2) utilizing hindsight to reject claims and rejects these arguments based on the brief rationale presented. The Applicant submits that that the Examiners rationale is erroneous. Moreover, the Applicant submits that the Examiner did not address the fact the combination of references (assuming *arguendo* that there is motivation to combine) does not disclose, teach or suggest the claimed invention.

In the Advisory Action it appears that the Examiner is relying on each of the references to disclose the following:

- *Davis* – a profiling system based on Internet interactions (banner ads);
- *Tuzhilin* – utilizing heuristic rules to create dynamic consumer profile based on purchases and then determine a users future buying habits; and

- *Alexander* – viewer profiling system that monitors users actions (viewing, purchasing) and generates demographics therefrom, used to determine likelihood of interest in product, movie, etc.

It would appear that to make the rejection the Examiner believes that *Davis* disclose everything but the heuristic rules, that *Tuzhilin* disclose heuristic rules for purchasing (not subscriber actions to ads), and that *Tuzhilin* disclose generating demographics from user actions.

Even assuming *arguendo* that the Examiner's assertion for what each reference discloses is correct and that there is motivation to combine the references (without conceding or acknowledging such), the embodiments claimed would not have been disclosed, taught or suggested by the combination. That is, none of the cited references, whether taken alone or in any reasonable combination, disclose, teach or suggest use of heuristic rules that associate a subscribers interactions/reactions to advertisements with demographic characteristics to generate a demographic profile of the subscriber, as required by the claims.

As noted above the Examiner is relying on *Tuzhilin* for disclosing heuristic rules. However, while *Tuzhilin* may disclose rules (dynamic profile), the rules do not associate subscriber interactions/reactions with demographics, and are not used to generate a demographic profile of the subscriber, as required by the claims. The user profile in *Tuzhilin* includes a static profile (demographics) and a dynamic profile (rules). The static profiles can be used to further aggregate dynamic profiles so that an individual rule applies to a group of users. For example, if several rules have the form "(IF Shopping_time='evening' and Day_of_week='weekday' and Purchase='Diapers' THEN Purchase= 'beer')'" and the rules apply mostly to men (based on the static profiles) aggregating the rules to form a rule having the form "(IF Sex='Male' and Shopping_time='evening' and Day_of_week='weekday' and Purchase='Diapers' THEN Purchase= 'beer')'" - (See col. 5, lines 31-62). The use of the static portion (demographics) to refine the dynamic portion (rules) is contrary (opposite) to the claims that require the rules be used to generate a demographic profile.

On page 2 of the Final Office Action, the Examiners asserts that since an aggregate rule may be applied to men it is disclosing a demographic trait (e.g., describing male purchasing behavior in the shopping/beer example described above). The Applicant submits that this is

clearly erroneous. That is, even assuming that the Examiners characterization of this rule as a male purchasing behavior is correct (without conceding or acknowledging such), the rule clearly is not used to associate the interactions of the user with demographics, as required by the claims. Moreover, as the static profile of *Tuzhilin* already contains demographics there is not motivation in *Tuzhilin* to utilize the rules (dynamic profile) in such a fashion. Furthermore, as noted above the static profile (demographics) are used to aggregate the dynamic profile (rules), not the other way around as required by the claims.

For at least the reasons advanced above, *Tuzhilin* clearly do not disclose, teach or suggest, and actually teaches away from heuristic rules associated with subscriber interactions/reactions being used to generate a demographic profile, as required by the claims.

The Examiner acknowledges that *Davis* do not disclose heuristic rules. The Examiner contends that *Alexander* disclose monitoring user viewing and purchasing habits to generate demographics. Even assuming that the Examiner's contention is correct (without conceding or acknowledging such), there is clearly no disclosure, teaching or suggestion of rules that associate a subscriber reactions/interactions to advertisements to demographics, let alone using the rules to generate a demographic profile of a subscriber, as required by the claims.

For at least the reasons advanced above it is clear that there is no disclosure, teaching, or suggestion in any of the cited references of rules that relate subscriber activities to demographics or using these rules to generate a demographic profile of a subscriber, let alone rules that relate a subscribers actions/interactions to advertisements with demographics, as required by the claims.

A combination of *Davis* and *Tuzhilin* would at best yield a system where the demographics of the user is known (static profile of *Tuzhilin*) and the user makes purchases (e.g., over the Internet) that are tracked and rules are defined therefrom. This combination may use known demographics about the users (the static profile) to generate the rules (the dynamic profile). The combination of *Davis* and *Tuzhilin* clearly do not disclose, teach or suggest applying heuristic rules to subscribers interactions to advertisements in order to generate a demographic profile of the subscriber. Adding *Alexander* to the combination would at best yield a system viewing activities can be added to the rules. However, clearly the rules would still not be associating subscriber interactions with demographics.

Discussion regarding patentability of claims

Claim 46 is directed to a method for monitoring a subscribers interactions with advertisements in order to generate a subscriber profile. The method includes monitoring subscriber interactions to advertisements presented. Heuristic rules associated with the subscriber interactions are retrieved. The heuristic rules associate the subscriber interactions to demographic characteristics about the subscriber. The heuristic rules are applied to the subscriber interactions in order to generate the subscriber profile. The subscriber profile identifies demographic characteristics about the subscriber.

It is submitted that none of the cited prior art disclose or suggests the method of claim 46. For example, none of the cited references disclose or suggest retrieving heuristic rules that associate the subscriber interactions to demographic characteristics, or applying the heuristic rules to the subscriber interactions in order to generate a subscriber profile that identifies demographic characteristics about the subscriber.

As defined in the application, the heuristic rules may be logical rules or may be rules expressed in terms of conditional probabilities. Fig 10A and the associated text from page 19, line 30 – page 20, line 18 illustrate and describe exemplary logical heuristic rules. For example, the heuristic rules equate an individual watching the soap opera “Days of our lives” with a housewife (1050). The heuristic rules also equate higher frequency of channel changes to higher income, as illustrated a user who zaps once every 2 minutes and 42 seconds is associated with an income of greater than \$75,000 (1010). Fig. 10B and the associated text at page 20, lines 19 – 27 illustrate and describe exemplary probabilistic heuristic rules. The exemplary heuristic rules define probabilities of demographic make-up of a user based on the category of programming they are viewing. For example, the heuristic rules assign an individual watching the news a 40% probability of being over the age of 70, a 40% probability of making between \$50K - \$100K, a 50% of being a single member family, and a 70% chance of being female. It is clear that the exemplary heuristic rules described in the application are related to viewing characteristics (e.g., watching soap opcra, watching the news) and predict demographic traits (e.g., housewife, 40% probability of income between \$50K - \$100K).

As illustrated in Fig. 12 of the application, the subscriber profile identifies demographic characteristics about the subscriber (e.g., age, gender). As illustrated, the profile includes a probabilistic distribution of the likelihood of the subscriber being within different demographic segments (e.g., 0-10, 10-18) for each demographic characteristic (e.g., age), though the claim clearly does not limit the scope thereto.

Davis et al. is directed to tracking interactions of users with an Internet ad (e.g., a banner ad that is presented on a particular website) and collecting and analyzing the interactions of multiple users in an effort to better target the ads. A tracking program is contained in the resource and is downloaded from the server hosting the resource to the client in order to track the interactions and report the interactions to a collection point (see summary). However, *Davis et al.* do not disclose heuristic rules, let alone heuristic rules that associate subscriber interactions to demographic characteristics, or applying the heuristic rules to subscriber interactions in order to generate a subscriber profile that identifies demographic characteristics about the subscriber, as required by claim 46. In fact, the Examiner acknowledges on page 4 of the Final Office Action that *Davis et al.* do "not disclose identifying subscriber demographics derived from heuristic rules, which process subscriber interactions".

On page 4 of the Final Office Action, the Examiner relies on *Tuzhilin* for disclosing a system which "utilizes a number [of] heuristic rules to create a dynamic consumer profile, which tracks user interactions and traits ... the rules are retrieved and generated in order to determine the dynamic profile". The Examiner appears to assert that "(IF Sex='Male' and Shopping_time='evening' and Day_of_week='weekday' and Purchase='Diapers' THEN Purchase= 'beer')", is a heuristic rule as recited in claim 46. On page 2 of the Final Office Action, in the response to arguments, the Examiner asserts that *Tuzhilin* "discloses use of 'fuzzy rules' in order to determine the types of purchases a user may make based on a number of known subscriber characteristics." The Examiner further asserts that since the rule (defined above) "is applied to men, it is disclosing a demographic trait, in this case, describing male purchasing behavior". The Applicant submits that the Examiner's assertions are clearly erroneous.

Tuzhilin is directed to a system that creates a user profile that includes a static profile (e.g., name, address) and a dynamic profile (e.g., rules/patterns associated with transactions made

by that specific user). A sample dynamic profile is "if user buys diapers while shopping on a weekday night, the user will likely also buy beer". A single user may not perform enough transactions, and thus generate enough rules, to be statistically significant so the system accordingly looks at the rules for multiple users within the system (referred to herein as "system rules"). The number of system rules is likely great and the quality and usefulness of individual rules may be questionable so that the system rules are aggregated together. The aggregated rules are then validated by an expert (which may be a user) for applicability to the user and only the validated rules are stored in the dynamic portion of the users profile. (See col. 3, line 30 – col. 4, line 67).

The static profiles can be used to further aggregate dynamic profiles so that an individual rule applies to a group of users. For example, if several rules have the form "(IF Shopping_time='evening' and Day_of_week='weekday' and Purchase='Diapers' THEN Purchase= 'beer')'" and the rules apply mostly to men (based on the static profiles) aggregating the rules to form a rule having the form "(IF Sex='Male' and Shopping_time='evening' and Day_of_week='weekday' and Purchase='Diapers' THEN Purchase= 'beer')". (See col. 5, lines 31-62). The user profiles can be used to assist the user predict future transactions (e.g., estimate future purchasing needs).

As previously mentioned, the user profile of *Tuzhilin* includes a static profile (demographics) and a dynamic profile (rules/patterns). The dynamic profile is used to predict future transactions and the rules within this portion may be generated based on data (e.g., demographics) from the static profile. However, there is clearly no disclosure, teaching, or suggestion of a subscriber profile that identifies demographic characteristics about the subscriber based on subscriber interactions to advertisements presented, let alone the subscriber profile being generated by applying heuristic rules (that associate the subscriber interactions to demographic characteristics) to the subscriber interactions to create a subscriber profile that identifies demographic characteristics about the subscriber, as required by claim 46.

In response to the Examiners assertion on page 2 that since the rule (related to shopping and beer that has been defined multiple times above) "is applied to men, it is disclosing a demographic trait, in this case, describing male purchasing behavior", the Applicant submits that

this is clearly erroneous. That is, even assuming that the Examiners characterization of this rule as a male purchasing behavior is correct (without conceding or acknowledging such), the rule clearly is not used to associate the interactions of the user with demographics, as required by claim 46. Moreover, as the static profile of *Tuzhilin* already contains demographics there is not motivation in *Tuzhilin* to utilize the rules (dynamic profile) in such a fashion.

Accordingly, even assuming arguendo that the Examiners motivation to combine *Davis et al.* and *Tuzhilin* is sufficient (without conceding or acknowledging that such motivation is sufficient), the combination of the two would not result in a method as recited in claim 46.

Furthermore, the Applicant respectfully submits that the Examiner has provided no motivation to combine *Davis et al.* and *Tuzhilin*. On page 5 of the Final Office Action, the Examiner simply asserts that "it would have be obvious to use the rules and recommendation system of *Tuzhilin* ... to determine which advertisements or webpage a user has seen and read in order to more accurately create a user profile which is tailored to a user's interests" without providing any rational for why it would be obvious, let alone any motivation for the combination. Moreover, it is submitted that neither reference provides any motivation for combining the two references. There is clearly no support in either reference or in the Examiners remarks that combining the two is possible or would provide any benefit. In fact, the user profile disclosed in *Tuzhilin* includes both a static profile (identifies demographic data (e.g., birthdate, sex)) and a dynamic profile (the rules). Accordingly, in order to combine the profiles (rules) of *Tuzhilin* to *Davis et al.* would require a static profile (demographic data) for the users of *Davis et al.* be available as opposed to being derived by the rules, as required by claim 46. Thus, the proposed combination would impact if not destroy the operation of either one or both of the systems defined in these references.

On page 5 of the Office Action, the Examiner asserts that *Alexender et al.* "discloses a viewer profiling system which monitors a users viewing habits and internet browsing, and is able to determine demographics regarding a user, such as marital status, number of children ... (column. 28, lines 13-67, column 30, line 1-44)". On page 3 of the Office Action, in the response to arguments section, the Examiner asserts that *Alexender et al.* "discloses the that the EPG may determine a users favourite team (age, marital status), based off the games (programs,

web surfing habits) a user watches (column 29, lines 56-67), Alexander must use some type of heuristic rule, as the EPG believes that this is a users favourite team, even though a user has not confirmed it, by entering the information”.

Alexander et al. is directed to an interactive electronic program guide (EPG) system that monitors a viewers interactions with an EPG and/or a TV and analyzes the data in order to determine the type of programs that the viewer may wish to watch and/or record so that the EPG can be customized accordingly. The data collected about the viewer (viewer profile information) is analyzed by a simple statistical analysis to determine, for example, the number of times: the viewer interacted with the EPG is activated during a viewing session; performed particular types of interactions with the EPG; watched a particular channel; and watched, recorded, or scheduled a program with a particular theme, subject or having a particular actor (see col. 29, lines 14-55). Based on the collected and analyzed data the system can determine viewer preferences, such as, determining that a viewer likes a particular basketball team based on the fact that they watch that team often (see col. 29, lines 56-67). Further analysis can be performed to determine viewer characteristics by comparing, for example, various interactions of the viewer during programs identified within the viewer preferences to programs not identified in the viewer preferences. The viewer characteristics may include, for example, attention span, general interest in product advertisements, interest in future programs, and correlation of impulse buying to price ranges (see col. 30, lines 1-29).

The Applicant respectfully submits that there is clearly no disclosure or suggestion of relating the television viewing habits to demographic characteristics through the use of heuristic rules, as required by claim 46. Moreover, the Examiners assertion on page 2 of the Office Action that “Alexander must use some type of heuristic like rule” is not applicable to claim 46 because the context in which the Applicant makes this assertion is with regard to sports teams, which are clearly not demographics. Therefore, even if the Examiners assertion with regard to heuristic rules being used is true (without conceding or acknowledging such) *Alexander et al.* do not disclose heuristic rules relating viewer transactions to demographic traits, as required by claim 46. Moreover, the use of heuristic rules is not inherent in *Alexander et al.* as it would appear the Examiner is asserting. That is, while it is possible that *Alexander et al.* retrieves heuristic rules

that associate subscriber interactions to advertisements with demographic characteristics about a subscriber and applies these rules to subscriber interactions to generate a subscriber profile ("Viewer Preferences" or "Viewer Characteristics"), that is *but one possibility* and is clearly *not necessarily present*. For example, the data may be entered (e.g., "The EPG requests that the viewer provide certain profile information ... the viewer's top favorite channels; the viewer's favorite types of channels, and the times which the viewer is most likely to watch television" (col. 28, lines 12-21); "the EPG is capable of distinguishing between individual viewers ... each viewer has an individual PIN or other identification number ... each viewer uses an individualized remote" (col. 28, lines 23-29)).

Accordingly, even assuming arguendo that the Examiners motivation to combine *Alexander et al.* with *Davis et al.* and *Tuzhilin* (alone or in combination with one another) is sufficient (without conceding or acknowledging that such motivation is sufficient), the combination of the three would not result in a method as recited in claim 46.

The Applicant respectfully submits that the Examiner has provided no motivation to combine *Alexander et al.* with any combination of *Davis et al.* and *Tuzhilin*. On page 5 of the Office Action, the Examiner simply asserts that "it would have be obvious to use the rules and recommendation system of Tuzhilin and viewing habits of and profiling features of Alexander in order to utilize the interaction data of Davis to determine which advertisements or webpage a user has seen and read in order to more accurately create a user profile which is tailored to a user's interests" without providing any rational for why it would be obvious, let alone any motivation for the combination. Moreover, it is submitted that none of the reference provide any motivation for combining them in any reasonable fashion. In fact, there is no support in the references or in the Examiners remarks that combining the references is possible or would provide any benefit

For at least the above noted reasons claim 46 is submitted to be patentable over the cited references. Claims 48-51 and 56-59 depend from claim 46 and are therefore submitted to be patentable over the cited references for at least the same reasons and for the further features recited therein. Accordingly, the rejection of claims 46, 48-51, and 56-59 should be withdrawn.

Claim 52 is directed to a method for monitoring a subscribers interactions with advertisements in order to generate a subscriber profile. The method includes monitoring subscriber interactions to advertisements presented. Heuristic rules associated with the subscriber interactions are retrieved. The heuristic rules predict demographic traits associated with the subscriber interactions. The heuristic rules are applied to the subscriber interactions in order to generate the subscriber profile. The subscriber profile identifies characteristics about the subscriber.

It is submitted that none of the cited prior art disclose or suggests the method of claim 52. For example, none of the cited references disclose or suggest retrieving heuristic rules that associate the subscriber interactions to subscriber characteristics and predict demographic characteristics, or applying the heuristic rules to the subscriber interactions in order to generate a subscriber profile.

For at least similar reasons to those addressed above with respect to claim 46, the Applicant submits that claim 52 is submitted to be patentable over the cited references. Claims 54 and 55 depend from claim 52 and are therefore submitted to be patentable over the cited references for at least the same reasons and for the further features recited therein. Accordingly, the rejection of claims 52, 54 and 55 should be withdrawn.

Claim 60 is directed to a method for monitoring a subscribers interactions with advertisements in order to generate a subscriber profile. The method includes monitoring subscriber interactions to advertisements presented. The subscriber interactions are processed in order to define traits associated with the subscriber interactions. The heuristic rules are applied to the traits in order to generate the subscriber profile. The heuristic rules associate the traits to demographic characteristics about the subscriber and the subscriber profile identifies demographic characteristics about the subscriber.

It is submitted that none of the cited prior art disclose or suggests the method of claim 60. For example, none of the cited references disclose or suggest retrieving heuristic rules that associate subscriber interaction traits to demographic characteristics, or applying the heuristic

rules to the subscriber interaction traits in order to generate a subscriber profile that identifies demographic characteristics about the subscriber.

For at least similar reasons to those addressed above with respect to claim 46, the Applicant submits claim 60 is submitted to be patentable over the cited references. Claims 62-65 and 67-70 depend from claim 60 and are therefore submitted to be patentable over the cited references for at least the same reasons and for the further features recited therein. Accordingly, the rejection of claims 60, 62-65 and 67-70 should be withdrawn.

Claim 71 is directed to a method for monitoring a subscribers interactions with advertisements in order to generate a subscriber profile. The method includes monitoring subscriber interactions to advertisements presented. Information associated with the advertisements presented is retrieved. The information is applied to the subscriber interactions to generate interaction data. A set of rules associated with at least a subset of the interaction data is retrieved. The set of rules relates at least one aspect of the interaction data to at least one demographic characteristic. The set of rules is applied to the interaction data in order to generate the subscriber profile. The subscriber profile includes at least one demographic characteristic about the subscriber.

It is submitted that none of the cited prior art disclose or suggests the method of claim 71. For example, none of the cited references disclose or suggest retrieving rules that associate interaction data to demographic characteristics, or applying the heuristic rules to the interaction data in order to generate a subscriber profile that identifies demographic characteristics about the subscriber.

For at least similar reasons to those addressed above with respect to claim 46, the Applicant submits that claim 71 is submitted to be patentable over the cited references. Claim 72 depends from claim 71 and is therefore submitted to be patentable over the cited references for at least the same reasons and for the further features recited therein. Accordingly, the rejection of claims 71 and 72 should be withdrawn.

Claim 73 is directed to a method for monitoring a subscribers interactions with advertisements in order to generate a subscriber profile. The method includes monitoring subscriber interactions to advertisements presented. Information corresponding to the advertisements presented is retrieved. The information includes descriptions of at least one aspect of the advertisements presented. A first representation of the subscriber is created based on the subscriber interactions and the information. A set of rules associated with at least a subset of the first representation is retrieved. The set of rules relates at least one aspect of the first representation to at least one demographic parameter. The set of rules are applied to the first representation in order to generate the subscriber profile. The subscriber profile defines at least a second representation of the subscriber.

It is submitted that none of the cited prior art disclose or suggests the method of claim 73. For example, none of the cited references disclose or suggest retrieving rules that associate at least one aspect of a first representation to at least one demographic parameter, or applying the rules to the first representation in order to generate a subscriber profile that identifies a second representation of the subscriber.

For at least similar reasons to those addressed above with respect to claim 46, the Applicant submits that claim 73 is submitted to be patentable over the cited references and the rejection accordingly should be withdrawn.

Claim 74 is directed to a method for generating a demographic profile of a subscriber based on interactions of the subscriber to advertisements presented. The method includes monitoring advertisements presented and subscriber interactions to the advertisements presented. Monitored advertisement data includes at least some subset of product type, product, and brand. Monitored interaction data includes at least some subset of channel changes, volume changes, and record commands. Heuristic rules associated with at least some subset of the subscribers interactions to the advertisements presented are retrieved. The heuristic rules associate the subscribers interactions to the advertisements presented with demographic characteristics. The heuristic rules are applied to the at least some subset of the subscribers interactions to the advertisements presented to generate a demographic profile for the subscriber.

It is submitted that none of the cited prior art disclose or suggests the method of claim 74. For example, none of the cited references disclose or suggest retrieving heuristic rules that associate the subscribers interactions to the advertisements presented with demographic characteristics, or applying the heuristic rules to at least some subset of the subscribers interactions to the advertisements presented to generate a demographic profile for the subscriber.

For at least similar reasons to those addressed above with respect to claim 46, the Applicant submits that claim 74 is submitted to be patentable over the cited references. Claim 75 depends from claim 74 and is therefore submitted to be patentable over the cited references for at least the same reasons and for the further features recited therein.

Claim 76 is directed to a method for generating a demographic profile of a subscriber. The method includes gathering information about advertisements presented to a subscriber. The information gathered includes at least some subset of product type, product, and brand. Subscriber interactions to the advertisements presented are monitored. The subscriber interactions include at least some subset of channel changes, volume changes, and record commands. The monitored subscriber interactions and the gathered information are processed to generate interaction data. The interaction data includes at least some subset of advertisements watched, skipped, played at high volume, played at low volume, and recorded for different product types, products, and brands. Heuristic rules associated with at least some subset of the interaction data are retrieved. The heuristic rules associate the interaction data with demographic characteristics. The heuristic rules are applied to the at least some subset of the interaction data to generate a demographic profile for the subscriber.

It is submitted that none of the cited prior art disclose or suggests the method of claim 76. For example, none of the cited references disclose or suggest retrieving heuristic rules that associate the subscribers interactions to the advertisements presented with demographic characteristics, or applying the heuristic rules to at least some subset of the subscribers interactions to generate a demographic profile for the subscriber.

For at least similar reasons to those addressed above with respect to claim 46, the Applicant submits that claim 76 is submitted to be patentable over the cited references. Claims 77-79 depend from claim 76 and are therefore submitted to be patentable over the cited references for at least the same reasons and for the further features recited therein.

Claim 79 is directed to a method for generating a demographic profile of a subscriber. The method includes monitoring subscriber reactions to advertisements presented. The reactions include at least some subset of watching, skipping, changing channel, increasing volume, decreasing volume, and recording. The reactions are monitored for at least some subset of different product types, products, and brands. Heuristic rules associated with at least some subset of the subscriber reactions to at least some subset of different product types, products, and brands are retrieved. The heuristic rules predict demographic characteristics for associated subscriber reactions and are applied to the at least some subset of the subscriber reactions to generate a demographic profile for the subscriber.

It is submitted that none of the cited prior art disclose or suggests the method of claim 79. For example, none of the cited references disclose or suggest retrieving heuristic rules that predict demographic characteristics for associated subscriber reactions, or applying the heuristic rules to at least some subset of the subscriber reactions to generate a demographic profile for the subscriber.

For at least similar reasons to those addressed above with respect to claim 46, the Applicant submits that claim 79 is submitted to be patentable over the cited references. Claims 80 and 81 depend from claim 79 and is therefore submitted to be patentable over the cited references for at least the same reasons and for the further features recited therein.

Conclusion

For the foregoing reasons, Applicant respectfully submits that claims 46, 48-52, 54-60, 62-65, and 67-81 are in condition for allowance. Accordingly, early allowance of claims 46, 48-52, 54-60, 62-65, and 67-81 is earnestly solicited.

If the Examiner believes that a conference would be of value in expediting the prosecution of this Application, the Examiner is hereby invited to contact the undersigned attorney to set up such a conference.

Respectfully submitted,



Douglas J. Rydcr, Esquire
Reg. No. 43,073

Date: 6/18/04

6206 Kellers Church Road
Pipersville, PA 18947
Phone: (215) 766-2100
Fax: (215) 766-2920
dryder@techpats.com